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PATENT Customer No. 22,852 Attorney Docket No. 5725.0533

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Petition

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became unintentionally abandoned for failure to file a timely and proper response to the Office Action of November 18, 2003, which set a three-month period for response. On February 18, 2004, Applicants timely filed a Notice of Appeal. On April 2, 2004, Applicants then filed a Request for Continued Examination and an Information Disclosure Statement ("IDS") to obtain the Examiner's consideration of a document cited in the IDS. Subsequently, Applicants received a Notice of Improper Request for Continued Examination (RCE) dated April 15, 2004, and a Notice of Abandonment dated April 29, 2004. Based on telephone conversations with Messrs. Bill Krynski and Rick Crispino of the Patent and Trademark Office, Applicants understand that the application became abandoned on April 2, 2004, since the above-referenced RCE did

not also include a response to the Office Action dated November 18, 2003. The entire

delay in filing the required reply, from the filing of the Request for Continued Examination on

April 2, 2004, up to the filing of the present Petition, was unintentional.

Applicants hereby petition for revival of this application. The petition fee of

\$1,330.00, as set forth in 37 C.F.R. § 1.17(m), is enclosed.

In addition, Applicants submit a response to the above-noted Office Action of

November 18, 2003, in the form of a Request for Continued Examination and a Response

to Office Action of November 18, 2003.

I hereby declare that all statements made herein of my own knowledge are true and

that all statements made on information and belief are believed to be true; and further that

these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the

application, any patent issuing thereon, or any patent to which this verified statement is

directed.

If there are any other fees due in connection with the filing of this Petition, and the

above-mentioned response, including any fees required for an extension of time under 37

CFR § 1.136, such an extension is requested, and the Commissioner is authorized to

charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

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Dated: May 12, 2004

RA:"

Andrew J

Reg. No. 45,174

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